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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20541, ON THE DATE INDICATED BELOW.

DATE: November 8, 2002

**PATENT
BOX FEE AMENDMENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of
Darwin Prockop *et al.*

: Group Art Unit: 1632

Appln. No.: 08/913,918

: Examiner: Dave Nguyen

Filed: December 8, 1997

For: ISOLATED STROMAL CELLS AND
METHODS OF USING THE SAME

: Attorney Docket
: No. 057616-5001-01
: (053664-5008-01; 9855-14U1)
: (TJU-1587)

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AMENDMENT

This Amendment responds to the Office Action dated May 22, 2002 (Paper No. 37), sent in connection with the above-referenced application. This Amendment is being timely filed in view of the Petition for a Three-month Extension of Time, which extends the time for a response to the Office Action through and to November 22, 2002. Kindly amend the application as follows:

In the Claims:

Please cancel claims 76, 78-96, and 109-111, without prejudice to the inclusion of the subject matter contained therein in a later filed application.

Please add new claim 113 as follows:

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113. (New) The method of claim 112, wherein the protein is a secreted protein.

REMARKS

Claims 69-71, 77, 97-108, and 112-113 are pending in the present application. In Paper No. 31, the Examiner required a species election, and in response, Applicants elected osteoporosis and obesity factor in Paper No. 32. Claims 76 and 78-96 were withdrawn from the Examiner's consideration as being drawn toward non-elected subject matter in an Office Action dated October 12, 2001 (Paper No. 34), and have been canceled herein. Claims 109-111 have